

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:18-CV-00170-KDB**

FREDERICK J COLOSIMO,

Plaintiff,

v.

**ANDREW M. SAUL, Commissioner of
Social Security,¹**

Defendant.

ORDER

THIS MATTER is before the Court on the parties' Joint Status Report filed on June 5, 2020. (Doc. No. 27).

On March 7, 2019, this Court granted the parties' Joint Motion to Stay All Proceedings Pending Class-Certification in *Ely v. Saul*, No. 4:18-cv-00557-BPV, Dkt. No. 18 (D. Ariz.). (Doc. No. 26). The Court ordered that "if a class is certified in *Ely*," this case would be stayed "until the conclusion of all proceedings in *Ely*, including any appeals." *Id.* On May 27, 2020, an opinion and judgment were issued in *Ely v. Saul* granting class certification and entering a judgment in favor of the class.

The parties filed a Joint Status Report in the above captioned matter on June 5, 2020 informing the Court that the Government has not decided whether to appeal the decision in *Ely*. Accordingly, the parties request that this Court issue an order requiring a status report in this case to be filed on or before August 25, 2020.

¹ Andrew M. Saul is now the Commissioner of Social Security and is substituted as a party pursuant to Fed. R. Civ. P. 25(d).

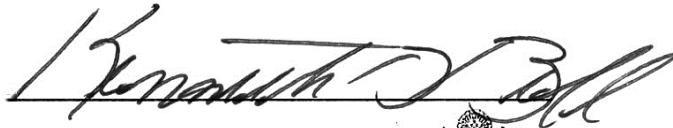
IT IS THEREFORE ORDERED that:

(1) the parties in this case shall submit a joint status report to this Court on or before August 25, 2020; and

(2) if *Ely v. Saul*, No. 4:18-cv-00557-BPV, Dkt. No. 18 (D. Ariz.), is not resolved by August 25, 2020, the parties shall submit a status report to this Court every three months until *Ely* is resolved.

SO ORDERED.

Signed: June 8, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

